

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE LICENSE OF : STATE BOARD OF EXAMINERS
MARIA BLANCHETTE : ORDER OF REVOCATION
_____ : DOCKET NO: 401 - 06/96 - 90

At its meeting of June 20, 1996, the State Board of Examiners reviewed the information forwarded to the Board by the Division of Criminal Justice indicating that on March 14, 1996, Maria Blanchette pled guilty to one count of theft in the third degree. The Accusation issued from Superior Court of New Jersey Law Division – Criminal, Morris County, indicates that on diverse dates between June 1, 1992 and November 1, 1994, in the Township of Washington, Morris County, Ms. Blanchette knowingly did unlawfully take or exercise unlawful control over the movable property of Saint Mark's Parish Church, with a value in excess of \$500, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3. She was sentenced to three (3) years probation with restitution to the victim in the amount of \$45,210.00 to be paid at the rate of at least \$1,000 a month.

At that meeting, the State Board of Examiners voted that said conviction constituted sufficient grounds for issuing Maria Blanchette an Order to Show Cause why her Teacher of Elementary School Certificate of Eligibility with Advanced Standing should not be revoked or suspended. Maria Blanchette was served with said Order to Show Cause by regular and certified mail on or about August 9, 1996. Said Order provided that if Maria Blanchette desired to file an Answer to said Order, such Answer must be filed within twenty (20) days. On September 25, 1996 an Answer to the Order to Show Cause was received from Gregory T. Syrek, Esq. on behalf of Ms. Blanchette.

In the interim, the State Board of Education decided two cases which impacted on the hearing process conducted by the State Board of Examiners. The first case is captioned, In the Matter of the Certificates of Sheridan. The other is captioned, In the Matter of the Certificates of Vitola. Within these two cases, the State Board of Education determined that the State Board of Examiners was required to amend its regulations in order to permit it to hear directly legal matters in which material facts are not in dispute. During the pendency of the revisions to the State Board of Examiner' regulations regarding its hearing process, all such hearings were held in abeyance. Said regulatory amendments were finally codified in May of 1997.

Pursuant to the newly amended provisions of N.J.A.C. 6:11-3.6(a)1, on July 21, 1997, a hearing notice was mailed by certified mail to Mr. Syrek. Said notice explained that, it appearing that no material facts were in dispute, Ms. Blanchette was provided an opportunity to offer legal argument on the issue of whether her conviction constituted conduct unbecoming a teacher. On August 18, 1997, a response to the hearing notice was received from Mr. Syrek on behalf of Ms. Blanchette.

Ms. Blanchette's reply to the hearing notice relies upon the papers previously provided in response to the Order to Show Cause. The certification submitted to the State Board of Examiners along with her Answer to the Order to Show Cause at paragraph 11 admits she has made a terrible mistake, accepts full responsibility for her actions and acknowledges that because of her shame over her error, she entered a plea of guilty. She also admits paying restitution. She admits she lost her job because of her action, which she submits had nothing to do with her teaching assignment or school district. She asks

that the State Board of Examiners give her the opportunity of renewing her teaching career by not revoking her teaching license.

At its meeting of October 9, 1997, the State Board of Examiners reviewed the charges and papers filed by Ms. Blanchette in response to the hearing process. After review of her response, the State Board of Examiners determined that no material facts related to Ms. Blanchette's offense were in contest. While she had provided further information regarding the offense, she did not deny that she has been convicted of a crime. The matter could, therefore, proceed to a determination as to whether the charge levied against Ms. Blanchette in the Order to Show Cause constitute conduct unbecoming a license holder pursuant to N.J.A.C. 6:11-3.6(a)1.

School law cases have traditionally recognized the right of the State Board of Examiners to revoke licenses where the teacher was involved in criminal activities, even if said activities were not related to the classroom, see Cox v. State Board of Examiners (App. Div. Docket No. A-3527-81T3) (November 18, 1993); State Board of Examiners v. Krupp, 3 N.J.A.R. 285 (1981). In this case, Respondent has been found guilty of a crime of dishonesty. The Commissioner has determined in the past that such guilty pleas involving dishonesty do constitute conduct unbecoming a teaching staff member sufficient to warrant dismissal. See, e.g., In the Matter of the Tenure Hearing of Emil J. Guasconi, School of the Town of West New York Hudson County, 1977 S.L.D. 513. It is the conclusion of the State Board of Examiners that the crime to which Respondent herein pled guilty reflects discredit upon her professional stature, notwithstanding her remorse for such actions. It noted specifically that the crime committed was premeditated and took place over a protracted period of time.

It is the further conclusion of the State Board of Examiners that such offense represents conduct unbecoming a license holder. The Board further determined that the appropriate penalty for her unbecoming conduct is the revocation of respondent's Teacher of Elementary School Certificate of Eligibility with Advanced Standing, due to the very serious level and nature of the conduct proven, which involved theft in excess of \$40,000.

It is, therefore ORDERED that Maria Blanchette's New Jersey Teacher of Elementary School Certificate of Eligibility with Advanced Standing be hereby revoked on this 9th day of October, 1997.

It is further ORDERED that Maria Blanchette return her license to the Secretary of the State Board of Examiners, Office of Licensing, P.O. Box 500, Trenton, NJ 08625-0500 within fourteen (14) days of receipt of this letter.

Secretary
New Jersey State Board of Examiners

Date of Mailing: November 19, 1997

Appeals may be made to the State Board of Education pursuant to the provisions of N.J.S.A. 18A:6-28.

IBG:KHK:br:Blanchetterv